REMARKS

Claims 1-17 are pending in this application. By this Amendment, claims 15-17 are added. No new matter is added.

I. Telephone Interview

The courtesies extended to Applicants' representative by Examiner Iwuchukwu during the telephone interview held December 8, 2005, to clarify certain issues in the Office Action, are appreciated.

II. Priority Document

Applicants request acknowledgement of receipt of the certified copy of JP 2003-092174 submitted with the Claim for Priority on September 10, 2004.

III. Claim Rejections Under 35 U.S.C. §102

Claims 1-7 and 9-14 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent Application Publication No. 2004/0174561 to Fukunaga et al. (Fukunaga). The rejection is respectfully traversed.

Fukunaga fails to disclose each and every feature recited in the rejected claims. For example, Fukunaga fails to disclose a data processing system comprising a main terminal device having one or more functions, and a sub terminal device connected to the main terminal device and performs data communications therewith, wherein the main terminal device comprises a data storing unit that stores various types of data, and enables the sub terminal device to recognize the data storing unit as an external storage device so as to enable the sub terminal device to be accessible to the data storing unit; a request storage commanding unit that receives commands from an external source and stores request data in the data storing unit, the request data being generated from the main terminal device for requesting the sub terminal device to generate implementation data required for implementing one or more functions; and a function implementing unit that executes a process to implement

a function based on the implementation data when the implementation data is transmitted from the sub terminal device following a command by the request storage commanding unit, and wherein the sub terminal device comprises a data generating unit that generates the implementation data when the request data is stored in the data storing unit; and an implementation data transmitting unit that transmits the implementation data generated by the data generating unit to the main terminal device, as recited in claim 1, or the similar features of the terminal device recited in claims 11 and 12.

Furthermore, Fukunaga fails to disclose a storage medium that stores a program for controlling a main terminal device and a sub terminal device connected in use to each other so as to be capable of performing data communications therebetween, recited in claims 13 and 14.

Fukunaga relates to a print system in a network in which in response to a print request from a client, a server controls a print instruction and supplies and collects image data and transmits the collected images and print orders to an output apparatus (paragraph [0002]). As shown in Fig. 1 of Fukunaga, the system includes a client computer 101 in communication with a center server 102, a plurality of image servers 111, 112, 11N and print servers 121, 122, 12N, via a network 103.

The center server 102 is an image collecting apparatus which in response to a request from the client computer 101 can browse information, such as images stored in the center server 102 and via the network 103. The center server 102 stores images to be transmitted to the client computer 101 in response to a request from the client computer. The center server 102 also collects images in response to a request from the client computer 101 and retrieves those images from the image servers 111, 112, 11N and transfers print requests of the images to the print servers 121, 122, 12N (paragraphs [0081] - [0084], [0092]).

It is alleged in the Office Action that Fukunaga discloses each and every feature recited in the rejected claims. In setting forth the rejection, the Office Action merely recites the language of claim 1 without providing any identifying structure alleged to correspond to the features recited in the rejected claims. To clarify the alleged corresponding structure, a telephone interview was held as indicated above. It was determined during the interview that the center server 102 is alleged to correspond to the claimed main terminal device and the client computer 101 is alleged to correspond to the claimed sub terminal device.

Under this interpretation, Fukunaga fails to disclose a main terminal device or a sub terminal device as recited in the rejected claims. For example, the center server 102 does not comprise a request storage commanding unit that receives commands from an external source and stores request data in the data storing unit, the request data being generated from the main terminal device for requesting the sub terminal device to generate implementation data required for implementing one or more functions.

Rather, in Fukunaga, the center server 102 receives a request for an image from the client computer 101 and retrieves the requested image from an image server 111, 112, 11N to be output to a print server 121, 122, 12N at the request of the client computer 101. The data request is not being generated from the center server 102, but rather is being requested from the client computer 101. Moreover, the request data being generated from the main terminal device is not for requesting the sub terminal device to generate implementation data required for implementing one or more functions. Rather, the client computer 101 is requesting data and specific functions to be performed by the center server 102. Accordingly, Fukunaga fails to disclose each and every feature recited in the rejected claims as alleged in the Office Action.

With respect to claim 3, the Office Action alleges that Fukunaga teaches a sub terminal device that further comprises a request deleting unit at paragraph [0555]. Paragraph

[0555] describes an order corrector/deleter 3803 that is an application program which receives a correction request, a deletion request or the like transmitted from the client computer 101. The order corrector/deleter 3803 is shown in Fig. 8 as being an application resident in the center server 102. Thus, the alleged sub terminal device or client computer 101, of Fukunaga, does not comprise the recited feature, rather the feature indicated in paragraph [0555] is included in the center server 102.

Regarding claim 4, the Office Action alleges that Fukunaga teaches a main terminal device (102) that further comprises an implementation data deleting unit at paragraph 0273. However, the feature described at paragraph [0273] is part of a print server and not part of the main terminal device as recited in the claims.

Anticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claims. *Connell v. Sears Roebuck and Co.*, 722 F.2d 1542, 1548, 220 USPQ 193, 198 (1983). The identical invention must be shown in as complete detail as contained in the claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ 2d 1913, 1920 (Fed. Cir. 1989).

Because Fukunaga fails to disclose all of the elements in the claims, arranged as in the claims, withdrawal of the rejection of claims 1-7 and 9-14 under 35 U.S.C. §102(e) is respectfully requested.

Claims 1, 6 and 8 are rejected under 35 U.S.C. §102(b) as anticipated by U.S. Patent Application Publication No. 2002/0082001 to Tanaka et al. (Tanaka). The rejection is respectfully traversed.

Tanaka relates to a communication system that is capable of sending and receiving information such as an image to and from a communication apparatus on a network via a cell phone (paragraph [0002]). As shown in Fig. 1, the system includes an electronic camera 10 that is capable of communication with a cellular phone 40 to allow the electronic camera 10

to make communication via the Internet 48 to send image data to a photograph sharing service 90 and ultimately to a photograph laboratory 92 for processing (paragraphs [0029 and 0030]). When the camera 10 is in communication with the cell phone 40, the cell phone 40 may provide a telephone directory from its non-volatile memory 482 and send it to the camera 10 via the transmitting and receiving device 457. The directory is displayed on a display of the camera and the user can select the name of servers and destinations, such as a photograph laboratory 92. The electronic camera 10 can then establish communication with the photograph laboratory 92 through the cellular phone 40 via the Internet to receive a menu of options that the photograph laboratory 92 provides and thereby select a desired service. Upon completion of the menu selections, the user can then send the menu and a print job to the photograph laboratory 92 for processing (see paragraphs [0061 - 0081]).

In rejecting the claims under Tanaka, the Office Action again merely recites the rejected claim language without providing any identifying structure or features in the figures or text of the specification alleged to correspond to those features. As discussed above, anticipation requires the presence in a single prior art disclosure of all elements of a claimed invention arranged as in the claim. Because the Office Action has not identified corresponding structure, the Office Action has failed to meet its burden in establishing evidence that the prior art reference of Tanaka discloses each and every feature recited in the rejected claims, arranged as in the claim.

Moreover, because the cell phone 40 merely acts as a communication link between the camera 10 and the print server and ultimately the photograph laboratory 92, the cell phone 40 fails to correspond to either of the main terminal device or the sub terminal device recited in the rejected claims.

From review of the rejection of claim 8 under the combination of Tanaka and Fukunaga, it appears that the Office Action alleges that the camera 10 corresponds to the

main terminal device recited in the rejected claims. This assumption is based on the citation of paragraph [0033] at page 9 of the specification that refers to Tanaka teaching a main terminal unit that implements a voice call based on voice signals inputted and outputted via the network and cites paragraph [0033] for support for the allegation. Paragraph [0033] of Tanaka specifically refers to the electronic camera having an antennae 156 for sending and receiving data such as voice data sent to or received from an external communication apparatus by wireless communication. Thus, interpreting the camera 10 as corresponding to the main terminal device, Tanaka fails to disclose the camera has a data storing unit that enables the telephone 40 to recognize the memory of the camera as an external storage device.

Because Tanaka fails to disclose all elements of the claims, arranged as in the claims, Tanaka fails to anticipate claims 1, 6 and 8. Therefore, withdrawal of the rejection is respectfully requested.

IV. Claim Rejections Under 35 U.S.C. §103

Claim 8 is rejected under 35 U.S.C. §103(a) as unpatentable over Fukunaga in view of Tanaka. The rejection is respectfully traversed.

Claim 8 is allowable for its dependency on independent claim 1 for the reasons discussed above, as well as for the additional features recited therein. Furthermore, as discussed above, Tanaka does not overcome deficiencies of Fukunaga regarding the features of claim 8. Moreover, the sub terminal device recited in the rejected claims execute a process or can generate implementation data merely by storing request data in the data storing unit which is provided in the main terminal device. Accordingly, the main terminal device can reduce the load imposed thereon to allow for the main terminal device and sub terminal device combination to better perform design functions. These advantages can not be obtained by either of the applied references of Fukunaga or Tanaka at least because the references fail

to disclose a sub terminal device that includes a data generating unit that generates the implementation data. Accordingly, withdrawal of the rejection of claim 8 under 35 U.S.C. §103(a) is respectfully requested.

V. New Claims

None of the applied references, whether considered alone or in combination, disclose or suggest each and every feature recited in claims 15-17. For example, the data processing system according to claim 1, wherein the main terminal device is a peripheral device or the data processing system according to claim 1, wherein the main terminal device is one of telephone, facsimile device, printer and scanner. Finally, none of the applied references disclose or suggest that the sub terminal unit is a personal computer as recited in claim 17.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 9-14 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

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